PTO/AIA/15 (03-13)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number 064507-5014-US19 Attorney Docket No. UTILITY Stephen J. Baker First Named Inventor PATENT APPLICATION BORON-CONTAINING SMALL MOLECULES TRANSMITTAL Title Express Mail Label No. (Only for new nonprovisional applications under 37 CFR 1.53(b)) **Commissioner for Patents** APPLICATION ELEMENTS ADDRESS TO: P.O. Box 1450 See MPEP chapter 600 concerning utility patent application contents. Alexandria, VA 22313-1450 Fee Transmittal Form ACCOMPANYING APPLICATION PAPERS (PTO/SB/17 or equivalent) Assignment Papers 10. Applicant asserts small entity status. (cover sheet & document(s)) Name of Assignee Applicant certifies micro entity status. See 37 CFR 1.29. Applicant must attach form PTO/SB/15A or B or equivalent. [Total Pages\_317 **Power of Attorney** 37 CFR 3.73(c) Statement Specification (when there is an assignee) Both the claims and abstract must start on a new page. (See MPEP § 608.01(a) for information on the preferred arrangement) **English Translation Document** [Total Sheets 63 (if applicable) 5. / Drawing(s) (35 U.S.C. 113) Information Disclosure Statement 6. Inventor's Oath or Declaration Total Pages (PTO/SB/08 or PTO-1449) (including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e)) Copies of citations attached Newly executed (original or copy) 14. / Preliminary Amendment A copy from a prior application (37 CFR 1.63(d)) **Return Receipt Postcard** Application Data Sheet \* See note below. (MPEP § 503) (Should be specifically itemized) See 37 CFR 1.76 (PTO/AIA/14 or equivalent) Certified Copy of Priority Document(s) (if foreign priority is claimed) CD-ROM or CD-R in duplicate, large table, or Computer Program (Appendix) Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 Landscape Table on CD 18. 🗸 Other: \*Request To Use Computer Form of Sequence Listing 9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, items a. - c. are required) From Another Application Under 37 C.F.R. § 1.821(e); Computer Readable Form (CRF) \*Request For Prioritized Examination Specification Sequence Listing on: CD-ROM or CD-R (2 copies); or II. V Paper c. / Statements verifying identity of above copies \*Note: (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 must be included in an Application Data Sheet (ADS). (2) For applications filed under 35 U.S.C. 111, the application must contain an ADS specifying the applicant if the applicant is an assignee, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter. See 37 CFR 1.46(b) 19. CORRESPONDENCE ADDRESS Correspondence address below ✓ The address associated with Customer Number: 43850 OR Name Address Zip Code State Email Telephone Country Signature Registration No.

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



(Print/Type)

Todd Esker

(Attorney/Agent)

Doc Code: TRACK1.REQ

Document Description: TrackOne Request

PTO/AIA/424 (04-14)

CERTIFICATION	AND REQUEST	FOR PRIOR	ITIZED	<b>EXAMINATION</b>
Į	JNDER 37 CFR 1	I.102(e) (Page	1 of 1)	

First Named Inventor:	Stephen J. Baker	Nonprovisional Application Number (if known):	To be assigned
Title of invention:	BORON-CONTAINING SM		

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS PRIORITIZED EXAMINATION FOR THE ABOVE-IDENTIFIED APPLICATION.

- 1. The processing fee set forth in 37 CFR 1.17(i)(1) and the prioritized examination fee set forth in 37 CFR 1.17(c) have been filed with the request. The publication fee requirement is met because that fee, set forth in 37 CFR 1.18(d), is currently \$0. The basic filing fee, search fee, and examination fee are filed with the request or have been already been paid. I understand that any required excess claims fees or application size fee must be paid for the application.
- I understand that the application may not contain, or be amended to contain, more than four independent claims, more than thirty total claims, or any multiple dependent claims, and that any request for an extension of time will cause an outstanding Track I request to be dismissed.
- 3. The applicable box is checked below:
- (a) The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a). This certification and request is being filed with the utility application via EFS-Web.

  ——OR---
  - (b) The application is an original nonprovisional plant application filed under 35 U.S.C. 111(a). This certification and request is being filed with the plant application in paper.
- ii. An executed inventor's oath or declaration under 37 CFR 1.63 or 37 CFR 1.64 for each inventor, or the application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) is filed with the application.
  - II. Request for Continued Examination Prioritized Examination under § 1.102(e)(2)
- i. A request for continued examination has been filed with, or prior to, this form.
- ii. If the application is a utility application, this certification and request is being filed via EFS-Web.
- iii. The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a), or is a national stage entry under 35 U.S.C. 371.
- iv. This certification and request is being filed prior to the mailing of a first Office action responsive to the request for continued examination.
- v. No prior request for continued examination has been granted prioritized examination status under 37 CFR 1.102(e)(2).

	***************************************
Signature	Date 4/5/20/6
Name Todd Esker	Practitioner 46,690 Registration Number

Note: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required.\*

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forme are enhantled



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/091,394	04/05/2016	Stephen J. BAKER	064507-5014-US19	7426
	7590 05/20/201 WIS & BOCKIUS LLI		EXAM	INER
	ear Street Tower, Suite		SHIAO, RI	EI TSANG
			ART UNIT	PAPER NUMBER
			1628	
			NOTIFICATION DATE	DELIVERY MODE
			05/20/2016	EI ECTRONIC

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

sfipdocketing@morganlewis.com donald.mixon@morganlewis.com



	Application No. 15/091,394		Applicant(s) BAKER ET AL.	
Office Action Summary	Examiner REI-TSANG SHIAO	Art Unit 1628	AIA (First Inventor to File) Status No	
The MAILING DATE of this communication ap Period for Reply	ppears on the cover sheet with	the corresponden	ce address	
A SHORTENED STATUTORY PERIOD FOR REPL THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statut- Any reply received by the Office later than three months after the mailir earned patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a replying a replying and will expire SIX (6) MONTHE, cause the application to become ABAI	ly be timely filed HS from the mailing date on NDONED (35 U.S.C. § 13	of this communication. 3).	
Status				
1) Responsive to communication(s) filed on 4/5/3  A declaration(s)/affidavit(s) under <b>37 CFR 1</b> .		<u>.</u>		
2a) This action is <b>FINAL</b> . 2b) This	s action is non-final.			
3) An election was made by the applicant in resp	•		ng the interview on	
<ul> <li>; the restriction requirement and electio</li> <li>Since this application is in condition for alloware</li> <li>closed in accordance with the practice under</li> </ul>	ance except for formal matter	rs, prosecution as		
Disposition of Claims*				
5) Claim(s) 1-26 is/are pending in the application 5a) Of the above claim(s) is/are withdra 6) Claim(s) is/are allowed.  7) Claim(s) is/are rejected.  8) Claim(s) is/are objected to.  9) Claim(s) 1-26 are subject to restriction and/or flany claims have been determined allowable, you may be exarticipating intellectual property office for the corresponding antip://www.uspto.gov/patents/init_events/pph/index.jsp or send antip://www.uspto.gov/patents/init_events/pph/initit_events/pph/init	election requirement. eligible to benefit from the Paten application. For more information d an inquiry to PPHfeedback@u  er. cepted or b) objected to by e drawing(s) be held in abeyance	n, please see uspto.gov. y the Examiner. e. See 37 CFR 1.85	5(a).	
Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign Certified copies:  a) All b) Some** c) None of the:  1. Certified copies of the priority documer 2. Certified copies of the priority documer 3. Copies of the certified copies of the pri application from the International Bureat* See the attached detailed Office action for a list of the certified copies of the certified copies of the certified copies of the certified copies of the pri application from the International Bureat*	nts have been received. nts have been received in Ap iority documents have been r au (PCT Rule 17.2(a)).	oplication No		
Attachment(s)				
1) Notice of References Cited (PTO-892)	3) 🔲 Interview Sui	mmary (PTO-413)		
P) Information Disclosure Statement(s) (PTO/SB/08a and/or PTO	Paper No(s)/	Mail Date		



Application/Control Number: 15/091,394 Page 2

Art Unit: 1628

The present application is being examined under the pre-AIA first to invent provisions.

#### **DETAILED ACTION**

1. Claims 1-26 are pending in the application.

### Election/Restriction

- 2. The Markush group set forth in the claims includes both independent and distinct inventions, and patentably distinct compounds (or species) within each invention. However, this application discloses and claims a plurality of patentably distinct inventions far too numerous to list individually. Moreover, each of these inventions contains a plurality of patentably distinct compounds, also far too numerous to list individually. For these reasons provided below, restriction to one of the following Groups is required under 35 U.S.C. 121, wherein an Group is a set of patentably distinct inventions of a broad statutory category (e.g. Compounds, Methods of Use, Methods of Making, etc.):
  - Claims 1-13, drawn to methods of use, classified in classes 514/558, numerous subclasses.
  - II. Claims 14-19, drawn to methods of use, classified in classes 514/558, numerous subclasses.
  - III. Claims 20-26, drawn to methods of use, classified in classes 514/558, numerous subclasses.



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